

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S Philadelphia Road, 340' NE to the c/l of Chesaco Avenue 15th Election District 7th Councilmanic District  
DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY  
Case No. 88-479-SPXA  
Rosedale Volunteer Fire Dept. Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to use the subject property for a volunteer fire department and community building, and a variance to permit 143 parking spaces in lieu of the required 185 spaces, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by David J. Sicca, Chairman of the Building Committee for the Rosedale Volunteer Fire Department, appeared, testified and was represented by Robert A. Hoffman, Esquire and Regan J. R. Smith, Esquire. Also appearing on behalf of the Petition were Paul Lee of Paul Lee Engineering, Inc., and Mickey Cornelius with the Traffic Group, Inc. There were no Protestants.

Testimony indicated that the subject property, zoned B.M., is located between Philadelphia and Old Philadelphia Roads and was donated to the Petitioner to construct the proposed facility. Mr. Sicca testified that he has been a member of the Rosedale Volunteer Fire Department for 18 years and he is currently the Chairman of the Building Committee. The current firehouse, which is located approximately three blocks from the subject property, is insufficient to house the additional equipment which the fire company wishes to obtain. Mr. Sicca testified the community hall is necessary for fund-raising activities. Mr. Sicca further testified that the proposed facility would meet the needs of the fire company and

meet the requirements as set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Mr. Sicca also testified that based on his experience with their present community hall, there would be no adverse impact if the variance were granted and that practical difficulty could occur if strict compliance with the parking regulations was required. Mr. Sicca testified that the Petitioner will control parking by limiting the number of tickets they sell to any function as they do at their present location.

Mr. Lee testified that the proposed plan allows for 143 parking spaces in lieu of the required 185 spaces as set forth in Petitioner's Exhibit 1. The Petitioner, through Mr. Lee, argued that the parking required could be 96 spaces if calculated using the fire department's maximum occupancy figures as was done in Case No. 88-273-A. Mr. Lee further testified that if the variance were granted the proposed parking would not be contrary to the spirit of the B.C.Z.R. and that a practical difficulty would result if the variance were denied. Additionally, he indicated that the proposed facility would not violate any of the criteria set forth in Section 502.1 of the B.C.Z.R.

Mr. Cornelius, an expert traffic engineer with the Traffic Group, Inc., testified that granting the Petitions for Special Exception and Zoning Variance would not adversely impact traffic in the area and would not be detrimental to the public good.

The Petitioner seeks relief pursuant to Zoning Policy Manual BM 22 and Section 502.1 of the B.C.Z.R.

A volunteer fire company is permitted by special exception in a B.L. zone and a permitted use in the B.R. zone. The zoning regulations are silent as to the location of a volunteer fire company in a B.M. zone.

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-479-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 permitting 143 parking spaces in lieu of the required 185 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To be determined at the hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

res of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
Rosedale Volunteer Fire Department  
(Type or Print Name)

By: David J. Sicca  
Signature  
(Type or Print Name)

Address  
City and State

P.O. Box 9661  
Address  
Baltimore, Maryland 21237  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Robert A. Hoffman  
Name  
210 Allegheny Avenue, 823-4111  
Address  
Towson, Maryland 21204  
City and State

Attorney's Telephone No.: 823-4111

ORDERED BY The Zoning Commissioner of Baltimore County, this 23rd day of MARCH, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of JUNE, 1988, at 9 o'clock A.M.

ESTIMATED LENGTH OF HEARING AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER DATE 3-15-88 (over)  
REVIEWED BY: J. Robert Haines Zoning Commissioner of Baltimore County.

Policy BM 22 states "...a volunteer fire company will be permitted in the B.M. zone by special exception." Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

The Petitioner seeks relief from Section 409.2 pursuant to Section 307 of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

#### PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-479-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Volunteer Fire Department and Community Building under Zoning Policy No. BM22.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)

Signature  
Address  
City and State

Legal Owner(s):  
Rosedale Volunteer Fire Department  
(Type or Print Name)

By: David J. Sicca  
Signature  
(Type or Print Name)

Address  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Robert A. Hoffman  
Name  
210 Allegheny Avenue, 823-4111  
Address  
Towson, Maryland 21204  
City and State

Attorney's Telephone No.: 823-4111

ORDERED BY The Zoning Commissioner of Baltimore County, this 23rd day of MARCH, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of JUNE, 1988, at 9 o'clock A.M.

ESTIMATED LENGTH OF HEARING AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER DATE 3-15-88 (over)  
REVIEWED BY: J. Robert Haines Zoning Commissioner of Baltimore County.

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of June, 1988 that the Petition for Special Exception to use the subject property for a volunteer fire department and community building, and the Petition for Variance to permit 143 parking spaces in lieu of the required 185 spaces, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return; and be responsible for returning, said property to its original condition.
- 2) Should the Office of Zoning receive complaints regarding parking on the subject site, the Deputy Zoning Commissioner or the Zoning Commissioner may, in their discretion, schedule a special hearing to determine whether further restrictions are required.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

-4-

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333  
J. Robert Haines  
Zoning Commissioner

June 27, 1988



Dennis F. Rasmussen  
County Executive

Robert A. Hoffman, Esquire  
Regan J. R. Smith, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE  
S/S Philadelphia Road, 340' NE to the c/l of Chesaco Avenue  
15th Election District; 7th Councilmanic District  
Rosedale Volunteer Fire Department - Petitioner  
Case No. 88-479-XA

Dear Messrs. Hoffman and Smith:

Enclosed please find the decision rendered on the above-referenced case. The Petitions for Special Exception and Zoning Variance have been granted with restrictions in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

Enclosure  
cc: Mr. Mickey Cornelius  
The Traffic Group, Inc., 414 E. Joppa Road, Towson, Md. 21204

Mr. Paul Lee  
Paul Lee Engineering, 304 W. Pennsylvania Avenue, Towson, Md. 21204

People's Counsel

File

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Date: 5/24/88 Date of Posting: 5/23/88  
Posted for: Variance of Special Exception  
Petitioner: Rosedale Volunteer Fire Dept.  
Location of property: S/S Phil Rd., 340' NE of Chesaco Ave.  
Location of Sign: Phil Rd. & Old Phil Rd. approx 15' E. on way, as per plat by Petitioner  
Remarks: As per plat by Petitioner  
Posted by: As per plat by Petitioner  
Date of return: 5/23/88

#### "DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., May 12, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 12, 1988.

THE JEFFERSONIAN,

S. Zabe Orlin  
Publisher

37.50

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance and Special Exception  
Case Number: 88-479-XA  
S/S Philadelphia Road, 340' NE of Chesaco Avenue  
15th Election District  
7th Councilmanic District  
Rosedale Volunteer Fire Department - Petitioner

Variance to permit 143 parking spaces in lieu of the required 185 parking spaces.  
Special Exception: A Volunteer Fire Department and Community Building under Zoning Policy No. BM22.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, after the appeal period has expired, require the Petitioner to return the property to its original condition. Such requirement is in writing and shall be filed in the office by the date of the hearing or the date of presentation at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
May 12, 1988



CERTIFICATE OF PUBLICATION  
Office of  
THE AVENUE NEWS

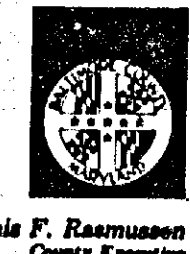
442 Eastern Blvd.  
Baltimore, Md. 21221  
MAY 12, 1988

THIS IS TO CERTIFY, that the attached advertisement of  
PETITION FOR ZONING VARIANCE AND SPECIAL EXCEPTION  
EXEMPTION CASE NUMBER 88-479-KA, AND SPECIAL  
EXEMPTION CASE NUMBER 88-479-KA, TO C/L CHESACO AVE.,  
15TH ELECTION DISTRICT - 7TH COUNCILMANIC DISTRICT  
HEARD BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY  
ON JUNE 1, 1988 AT 9:00  
AM, 84 lines at \$46.20  
was inserted in The Avenue News a weekly newspaper  
published in Baltimore County, Maryland once a week for  
successive weeks before the 13th day of May, 1988,  
that it is so, the same was inserted in the issue of 5/12/1988

The Avenue Inc.  
per publisher  
David B. McNeill

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

Date: 5-18-88



Robert A. Hoffman, Esq.  
210 Allegheny Avenue  
Towson, Maryland 21204

Re: Petitions for Zoning Variance and Special Exception  
CASE NUMBER: 88-479-KA  
55 Philadelphia Road, 340' to c/l Chesaco Avenue  
15th Election District - 7th Councilmanic District  
Petitioner(s): Rosedale Volunteer Fire Department  
HEARING SCHEDULED: WEDNESDAY, JUNE 1, 1988 at 9:00 a.m.

Dear Mr. Hoffman:

Please be advised that \$143.70 is due for advertising and posting of  
the above-referenced property. All fees must be paid prior to the hearing.  
Do not remove the sign and post set(s) from the property from the time  
it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED  
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring  
it along with the sign(s) and post(s) to the Zoning Office, County Office  
Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before  
your hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52676  
DATE: 5/27/88 ACCOUNT: 8-01-615-000  
ck # 37832 AMOUNT: \$ 143.70  
RECEIVED FROM: Rosedale Vol. Fire Dept  
FOR: Posting Order 6/1/88/kmp/nt  
B 135\*\*\*\*\*1437018 0314F 88-479-A  
VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCE  
5/5 Philadelphia Rd., 340' to : OF BALTIMORE COUNTY  
C/L Chesaco Ave., 15th District  
ROSEDALE VOLUNTEER FIRE : Case No. 88-479-KA  
DEPARTMENT, Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-  
captioned matter. Notices should be sent of any hearing dates or other  
proceedings in this matter and of the passage of any preliminary or  
final order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 29th day of April, 1988, a copy  
of the foregoing Entry of Appearance was mailed to Robert A. Hoffman,  
Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman  
Peter Max Zimmerman

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

April 5, 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act  
and Regulations of Baltimore County will hold a public hearing on the property  
identified herein in Room 106 of the County Office Building, located at 111  
W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Zoning Variance and Special Exception  
CASE NUMBER: 88-479-KA  
55 Philadelphia Road, 340' to c/l Chesaco Avenue  
15th Election District - 7th Councilmanic District  
Petitioner(s): Rosedale Volunteer Fire Department  
HEARING SCHEDULED: WEDNESDAY, JUNE 1, 1988 at 9:00 a.m.

Variance permitting 143 parking spaces in lieu of the required 185 parking spaces.  
Special Exemption A Volunteer Fire Department and Community Building under Zoning  
Policy No. 9422.

In the event that this Petition is granted, a building permit may be issued  
within the thirty (30) day appeal period. The Zoning Commissioner will, however,  
entertain any request for a stay of the issuance of said permit during this  
period for good cause shown. Such request must be in writing and received in  
this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: David J. Sicca  
Robert A. Hoffman, Esq.  
File

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

TELEPHONE  
(301) 823-4411  
JOSEPH C. WICH, JR.  
HENRY & PECK, JR.  
HERBERT B. O'CONNOR, III  
THOMAS L. HUDSON  
C. CARY DELLEY, JR.  
M. KING HILL, JR.  
GEORGE K. REYNOLDS, III  
ROBERT A. HOFFMAN  
CYNTHIA M. HAHN

DIRECT DIAL NUMBER  
(301) 494-9162

March 18, 1988

J. Robert Haines  
Zoning Commissioner of Baltimore County  
County Office Building, 1st Floor  
Towson, Maryland 21204

Re: Rosedale Volunteer Fire Company  
Petitions for Special Exception and Variance  
Item No. 332

Dear Mr. Haines:

This firm represents the Rosedale Volunteer Fire Company ("the  
Fire Company") in their above referenced Petitions for Special  
Exception and Variance. The Fire Company plans to move from its  
current location at the intersection of Philadelphia Road and Hamilton  
Avenue to a new facility on property that is the subject of these  
petitions. The subject property was donated to the Fire Company by  
Baltimore County in the fall of 1985.

The contractual obligations in the sale of the Fire Company's  
existing facility allow only ninety (90) days for the Fire Company to  
vacate those premises. Since it is anticipated that settlement will  
take place in early September, the new facility would have to be  
placed in service by year's end. Therefore, to avoid a break in  
continuity of provision of this vital community service, a shortening  
of the hearing process would be of great assistance.

It is therefore, respectfully requested that an expedited hearing  
be granted in this case.

Thank you for your attention to this matter.

Yours truly,  
Robert A. Hoffman

RECEIVED  
MAR 21 1988  
ZONING OFFICE

RAH/jhr  
cc: David J. Sicca

BM-20 TOWING LICENSES

Towing licenses are permitted and approved only at properly zoned  
service garages or junk yards. All such sites must comply with the  
provisions of Section 405A. of the Baltimore County Zoning Regulations.

BM-21 TRUCK AND CAR RENTAL  
AND TAXICABS

Truck and car rental and taxicab businesses may be permitted as a  
service garage use but must be in enclosed buildings in the B.L. zone.

BM-22 VOLUNTEER FIRE COMPANY

A volunteer fire company is permitted by special exception in the  
B.L. zone and a permitted use in the B.R. zone. In the B.M. zone there  
is no listing. Notwithstanding the fact that Section 233.1 states  
"Uses Permitted in B.L. zone" and the wording "and limited" was not  
used, a volunteer fire company will be permitted in the B.M. zone by  
special exception.

Note - If the applicant would disagree with this interpretation  
then they may file for a special hearing for a determination  
that it be considered a permitted use in the B.M. zone.

Paul Leo P.E.

Paul Leo Engineering Inc.  
308 W. Pennsylvania Ave.  
Towson, Maryland 21204  
301 821 5341

DESCRIPTION

ROSEDALE VOLUNTEER FIRE DEPARTMENT  
S/S PHILADELPHIA ROAD A N/S OLD PHILADELPHIA ROAD  
15TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, located on the south side  
of Philadelphia Road, said point being located 340 feet ± Northeastly  
from the center of Chesaco Avenue; thence binding on the south side  
of Philadelphia Road (1) North 57°30'00" East 211.31 feet; thence  
leaving said south side of Philadelphia Road (2) South 32°30'00" East  
327.07 feet to the north side of Old Philadelphia Road, thence binding  
on the north side of Old Philadelphia Road (3) South 66°48'00" West  
316.87 feet, thence leaving said Old Philadelphia Road (4) North 11°  
26'00" West 307.26 feet to the point of beginning.

Containing 1.879 acres of land, more or less.



Engineers - Surveyors - Site Planners 2/5/88

Paul Leo P.E.

Paul Leo Engineering Inc.  
308 W. Pennsylvania Ave.  
Towson, Maryland 21204  
301 821 5341

March 30, 1988

Mr. Creston J. Mills, Jr.  
Bureau of Engineering Access Permits  
State Highway Administration  
P.O. Box 717  
707 N. Calvert Street  
Baltimore, Maryland 21203

Re: Baltimore County- Item #332 88-479-K-2  
Rosedale Volunteer Fire Department

Dear Mr. Mills:

Please find enclosed herewith three prints of the revised  
site plan for the zoning hearing reference to the above men-  
tioned site. Please note that the plan has been revised to  
show the proposed curb and gutter and entrance change in accord-  
ance with your comments. I have also shown the poles located  
in Philadelphia Road.

Trusting the enclosed is satisfactory. If there are any ques-  
tions, please do not hesitate to call.

Very truly yours,

Paul Leo

PLP  
Enclosures  
cc: Mr. J. Robert Haines, Mr. David Sicca, Mr. Regan Smith  
w/ enclosures

Engineers - Surveyors - Site Planners



173



## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 16, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204Robert A. Hoffman, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204RE: Item No. 332 - Case No. 88-479-XA  
Petitioners: Rosedale Volunteer Fire Department  
Petition for Zoning Variance and Special Exception

Dear Mr. Hoffman:

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.  
JAMES E. DYER  
Chairman

Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Paul Lee Engineering, Inc.  
304 West Pennsylvania Avenue  
Towson, Maryland 21204Maryland Department of Transportation  
State Highway AdministrationRichard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

March 23, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
Fire Department  
County Office Building  
Towson, Maryland 21204  
Attn: James DyerRE: Baltimore County  
Rosedale Volunteer  
Fire Department  
Zoning meeting 3/22/88  
S/S Philadelphia Road  
Maryland Route 7  
340' east of  
Chesaco Avenue  
Item #332

Dear Mr. Haines:

After reviewing the submittal for a variance to permit 143 parking spaces in lieu of the required 185 parking spaces, and a special exception for a volunteer fire department and community building, the State Highway Administration-Bureau of Engineering Access Permits has the following comments.

A 5' tangent section from both the east and west property must be shown on the plan. Otherwise, a written agreement from both adjacent property owners to construct curb and gutter on the frontage of their property must be obtained.

Also, the proposed entrance to the west must be changed to 25' and all existing utility poles must be shown on the plan.

It is requested these revisions be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato of this office (333-1350).

Very truly yours,

Creston J. Mills, Jr.  
Acting Chief-Bureau of  
Engineering Access Permits

LB/es

cc: Paul Lee Engineering Inc.  
J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 685-0451 D.C. Metro - 1-800-482-3082 Nationwide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-3717

Paul Lee P.E.

Paul Lee Engineering Inc.  
304 West Pennsylvania Ave.  
Towson, Maryland 21204  
301 821 5541

June 1, 1988

RECEIVED ZONING OFFICE  
DATE: 6/3/88Ma Ann Nastarowicz  
Deputy Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County  
111 W. Chesapeake Avenue  
Towson, Maryland 21204Re: Rosedale Volunteer Fire Department  
Case #88-479-XA

Dear Ma Nastarowicz:

Please find enclosed herewith 2 copies of the revised Site Plan for the Zoning Petition reference to the above mentioned site.

Please note that I have added to the drawing the alternate parking study based on the maximum number of people permitted in the hall under the Fire Department regulations. As I had indicated in the hearing, my assumption for determining the maximum number of people permitted in the hall was based on 15 square feet per person in the seating area of 7,700 square feet and 7 square feet per person for a dancing area of 400 square feet. These figures projected to 572 persons, and based on one parking space per 6 persons, 95 parking spaces would be required in the hall area. A total of 119 parking spaces would be required for the complete building.

I trust the enclosed is satisfactory. If there are any questions, please do not hesitate to contact this office.

Yours sincerely,

Paul Lee

Paul Lee

PL:tl  
Enclosures  
cc: Mr. Robert Hoffman w/enc.  
Mr. David Sicca w/enc.

Engineers - Surveyors - Site Planners

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
494-3554

April 15, 1988

Dennis F. Kammur

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 332 - ZAC -

Property Owner: Rosedale Volunteer Fire Department  
Location: S/S Philadelphia Rd., 340' to c/l of Chesaco Avenue  
Existing Zoning: R.M. - S.L. - C.S.A.  
Proposed Zoning: Variance to permit 143 parking spaces in lieu of the required 185 parking spaces. Special exception for a volunteer fire department and community building.  
Area: 1.879 acres (+ or -)  
District: 15th Election District

Dear Mr. Haines:

The requested parking variance can be expected to cause parking problems in the area around the site.

Access to Philadelphia Road will be subject to the State Highway Administration's approval.

Very truly yours,

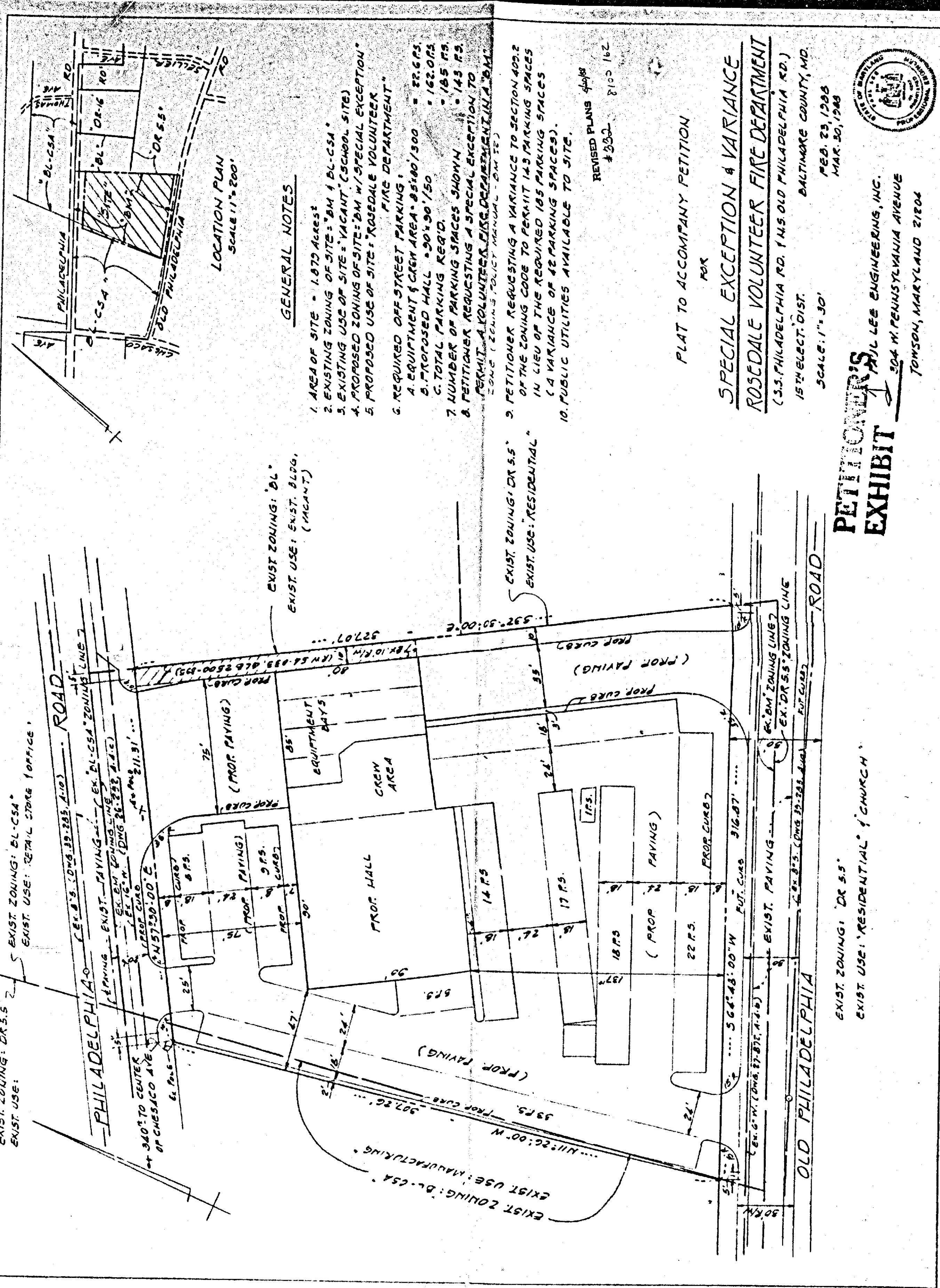
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/pml-b

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENTZoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204Zoning Item # 332, Zoning Advisory Committee Meeting of March 23, 1988  
Property Owner: Rosedale Volunteer Fire Department  
Location: S/S Philadelphia Rd. to c/l of Chesaco Ave. District 15  
Water Supply: m/t  
Sewage Disposal: m/t

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charcoal grill or operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- ( ) Soil percolation tests, how many, must be conducted.  
( ) The results are valid until: \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until: \_\_\_\_\_  
( ) It is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ( ) Others \_\_\_\_\_

Karenda Murray  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENTPETITIONER'S  
EXHIBIT  
PAUL LEE ENGINEERS, INC.  
304 W. PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204BALTIMORE COUNTY, MD.  
MAR. 23, 1988  
MAR. 30, 1988

JD. 88-405